

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MALIBU MEDIA, LLC,	:	CIVIL ACTION NO. 4:15-CV-2281
	:	
Plaintiff and Counterclaim	:	(Chief Judge Conner)
Defendant,	:	
	:	
v.	:	
	:	
JOHN DOE subscriber assigned IP	:	
Address 71.58.216.197,	:	
	:	
Defendant, Counterclaim	:	
Plaintiff, and Third-Party	:	
Plaintiff,	:	
	:	
v.	:	
	:	
CHRISTOPHER FIORE, BRIGHAM	:	
FIELD, and COLETTE PELISSIER-	:	
FIELD,	:	
	:	
Third-Party Defendants	:	

ORDER

AND NOW, this 16th day of November, 2016, upon consideration of the request (Doc. 58) for entry of default by defendant, counterclaim plaintiff, and third-party plaintiff John Doe, wherein John Doe requests that the Clerk of Court enter default against third-party defendant Christopher Fiore, Esquire ("Attorney Fiore"), for failure to appear or otherwise defend in this action pursuant to Federal Rule of Civil Procedure 55(a), and Attorney Fiore's objection (Doc. 60) to John Doe's request, wherein Attorney Fiore responds that he understood the court's order (Doc. 50) suspending all pretrial and trial deadlines in this case to also suspend his obligation to respond to John Doe's third-party complaint, and further upon consideration of Attorney Fiore's motion (Doc. 61) for an extension of time to

respond to John Doe's third-party complaint, and the court in agreement with Attorney Fiore that the court's order (Doc. 50) of August 25, 2016 suspended all pretrial and trial deadlines in this matter, to include Attorney Fiore's obligation to file a responsive pleading, pending the court's ruling on John Doe's separate motion (Doc. 52) to disqualify Attorney Fiore as counsel herein, and thus finding that Attorney Fiore is not in default under Federal Rule of Civil Procedure 55(a), it is hereby ORDERED that:

1. The request (Doc. 58) for entry of default is DENIED.
2. Attorney Fiore's motion (Doc. 61) for an extension of time is GRANTED.
3. Attorney Fiore shall have until **Tuesday, December 6, 2016** to respond to John Doe's third-party complaint in accordance with the Federal Rules of Civil Procedure.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania